

**A CERTIFIED TRUE COPY****05 CV**

NOV 30 2005

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**JUDGE McMAHON**  
DOCKET NO. 1695JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

NOV 14 2005

FILED  
CLERK'S OFFICE**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE VEECO INSTRUMENTS INC. SECURITIES LITIGATION**

*Edward J. Huneke, etc. v. Edward H. Braun, et al.*, E.D. New York, C.A. No. 1:05-1384  
*David Altman, etc. v. Edward H. Braun, et al.*, E.D. New York, C.A. No. 1:05-1986  
*August Schupp, III, etc. v. Edward H. Braun, et al.*, E.D. New York, C.A. No. 2:05-1624

**CONDITIONAL TRANSFER ORDER (CTO-1)**

On August 22, 2005, the Panel transferred eight civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. With the consent of that court, all such actions have been assigned to the Honorable Colleen McMahon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Southern District of New York and assigned to Judge McMahon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of New York for the reasons stated in the order of August 22, 2005, \_\_\_ F.Supp.2d \_\_\_ (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Colleen McMahon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. BeckMichael J. Beck  
Clerk of the Panel

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J. MICHAEL McMAHON,

CLERK

BY

Jessica Doss  
DEPUTY CLERKInasmuch as no objection is  
pending at this time, the  
stay is lifted.

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JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION